

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow, are respectfully requested.

Claims 1-20 remain pending in this application. Claims 1, 4 and 11-15 stand withdrawn from consideration on the merits. Upon the allowance of claims to the elected invention, Applicants request that the non-elected process claims be rejoined in accordance with the Office policy set forth in §821.04, M.P.E.P.

Claims 2, 3, 5, 6, 9 and 16-20 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,015,570 to Tucci et al. in view of U.S. Patent No. 4,783,354 to Fagan for the reasons given in paragraph (2) of the Office Action. Also, claim 10 was rejected under 35 U.S.C. §103(a) as unpatentable over Tucci et al. '570 in view of Fagan '354 and further in view of U.S. Patent No. 3,640,743 to Sheehan for the reasons set forth in paragraph (3) of the Office Action. Reconsideration and withdrawal of these rejections are respectfully requested in view of the above amendments and for at least the following reasons.

The present claims are directed to a strippable wall covering comprising a glass fiber fabric coated on both sides with a dried aqueous dispersion containing at least a starch and a polymer latex binder, and having a second coating on one side consisting essentially of a paraffin wax and a rheology modifier. The second coating serves as a separation layer which allows the wall covering to be readily removed from the substrate to which it is attached.

The articles of manufacture disclosed in Tucci et al. '570 comprise fabrics coated with an insect repellant which is gradually released from the coating to provide long term insect repellency. These fabrics are obviously designed for outdoor usage such as apparel, tents, paints and sealants, and the like. Although the reference mentions wall and floor coverings (column 10, line 58), this obviously refers to outside walls since it is extremely unlikely that a consumer would contemplate applying the products of Tucci et al. '570 to inside walls.

Tucci et al. '570 fails to disclose or suggest a strippable wall covering having a layer consisting essentially of a paraffin wax and a rheology modifier to assist in removing the wall covering from a substrate. Actually, the reference does not provide an enabling disclosure of any wall covering of the type contemplated by Applicants.

Fagan '354 does not supply the aforementioned deficiencies in the disclosure of Tucci et al. '570. The wall coverings disclosed by Fagan '354 include a back layer consisting of pressure sensitive adhesive which contains a wax. The adhesive composition is primarily composed of a polymeric material which must be heated to activate the adhesive (column 3, lines 38-43). A release sheet also must be used to prevent premature adhesion of the wall covering to a surface. Unlike the presently claimed wall coverings, the wall coverings of Fagan '354 are not designed to be permanently adhered to a substrate by conventional means such as pastes and adhesives.

Even if one combines the respective teachings of Tucci et al. '570 and Fagan '354, the resultant products would slowly release insect repellant and would be

backed by a pressure-sensitive adhesive which required the extra step of heating to activate the adhesive and the added expense of a release sheet. Moreover, present claim 19 specifies that the second coating contains 80 to 99 wt. % paraffin wax. In contrast, the pressure sensitive adhesive of Fagan '354 contain large amounts of polymeric materials; note the ratios of adhesive to wax in column 3, lines 50-53.

To further emphasize the differences between Applicants' second coatings and the pressure sensitive adhesive layers of Fagan '354, independent claims 1, 16 and 17 have been amended to specify that the second coatings consist essentially of a paraffin wax and a rheology modifier. As such, the claims clearly exclude the presence of polymeric pressure sensitive adhesives which would materially affect the basic and novel characteristics of the wax coatings. Note the discussion in §2111.03, M.P.E.P.

Sheehan '743 has been cited solely for its disclosure of titanium dioxide pigment in wall coverings. This reference does not disclose any specific wall covering and fails to provide the aforementioned deficiencies in the combined disclosures of Tucci et al. '570 and Fagan '354.

In view of the above amendments and arguments, the §103(a) rejections based on Tucci et al. '570 and Fagan '354 should be withdrawn. Such action is earnestly requested.

Claims 7, 8 and 17 were further rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 4,148,781 to Narukawa et al. in view of U.S. Patent No. 4,783,354 to Fagan for the reasons provided in paragraph (4) of the Office Action.

Reconsideration of this rejection is respectfully requested in view of the above amendments and for at least the reasons which follow.

Narukawa et al. '781 discloses flexible building sheet materials which may be used as wall coverings and are based primarily on calcium sulfate dihydrate (i.e. gypsum). A polymeric binder is present and is either a water-soluble material such as starch or a thermoplastic latex. These building sheet materials may contain reinforcing fibers and fabrics. However, they do not appear to be fabrics as such but rather are fiber-reinforced building sheet materials primarily composed of calcium sulfate dihydrate (gypsum). These products are not strippable and do not have a coating consisting essentially of a paraffin wax and a rheology modifier.

The gypsum-based products of Narukawa et al. '781 are quite different from the wall coverings of Fagan '354. There is no disclosure in either document which would motivate those of ordinary skill in the art to modify the sheet materials of Narukawa et al. '781 to include the pressure-sensitive adhesive layer of Fagan '354. Nor would there be a reasonable expectation that the proposed modification would be successful.

Furthermore, the second coatings defined in claim 17 exclude the presence of pressure sensitive adhesives. Thus, the wall covering resulting from combining the respective teachings of Narukawa et al. '781 and Fagan '354 would still not have all the features of the presently claimed products.

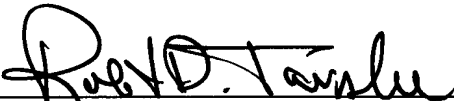
For at least these reasons, the §103(a) rejection based on Narukawa et al. '781 in view of Fagan '354 should be reconsidered and withdrawn. Such action is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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